



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Anita Johnson
Anita Johnson

Applicant : Karl Josephy, et al.
Application No. : 09/849,512
Filed : May 4, 2001
Title : PROCESS FOR MAKING ANGSTROM SCALE AND HIGH ASPECT
FUNCTIONAL PLATELETS
Grp./Div. : 1732
Examiner : Mathieu D. Vargot
Docket No. : 42329/WGM/A23

TRANSMITTAL FOR TERMINAL DISCLAIMER TO
OBVIATE A DOUBLE PATENTING REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
October 21, 2003

Commissioner:

Enclosed is a Terminal Disclaimer to Obviate a Double Patenting Rejection and the statutory fee of \$110.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any credit or charge to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By *Walter G. Maxwell*
Walter G. Maxwell
Reg. No. 25,355
626/795-9900

WGM/agj
Enclosures: Terminal Disclaimer
Check; Copy of letter
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OCTOBER 21, 2003
(Date of Deposit)

TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
October 21, 2003

Commissioner:

I hereby certify that I am the attorney of record in this application and am authorized to execute this disclaimer on behalf of the assignee; and I further certify that the evidentiary documents have been reviewed and that assignee, to the best of my knowledge and belief, has title to the above-identified application and patent.

I further declare and state as follows:

Avery Dennison Corporation, a Delaware corporation, having a place of business at 150 N. Orange Grove Boulevard, Pasadena, California 91103, represents: (a) that it is the assignee of the entire interest in U.S. patent Application No. 09/849,512, filed May 4, 2001, and entitled PROCESS FOR MAKING ANGSTROM SCALE AND HIGH ASPECT FUNCTIONAL PLATELETS, by virtue of the assignment recorded in the United States Patent and Trademark Office at reel 012112, frame 0327; and (b) that it is the assignee of the entire interest in U.S. Patent No. 6,398,999, by virtue of the assignment recorded at reel 010536, frame 0227.

Avery Dennison Corporation hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent

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Application No. 09/849,512

No. 6,398,999, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title thereto shall be the same as the legal title to U.S. Patent No. 6,398,999, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent 6,398,999, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and further that such willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By Walter G. Maxwell
Walter G. Maxwell
Reg. No. 25,355
626/795-9900

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Amendment Transmittal Letter
Application No. 09/849,512

X Other enclosures: Terminal Disclaimer, Transmittal and \$110 check.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by or to give effect to this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By Walter G. Maxwell
Walter G. Maxwell
Reg. No. 25,355
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